

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed November 15, 2010. At the time of the Final Office Action, Claims 12-29 were pending, and Claims 1-11 were previously cancelled. All pending Claims 12-29 were rejected in the Final Office Action. Independent Claims 12 and 22 are herein amended. Applicant respectfully requests reconsideration and allowance of all pending claims.

#### **Rejections under 35 U.S.C. § 101**

Claims 22-29 were rejected by the Examiner under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. Specifically, the Examiner argues that “tangible computer readable media” includes non-statutory categories, such as signals or carrier waves/pulses. Although Applicant does not necessarily agree, Applicant has amended independent Claims 12 and 22 to recite “tangible, *non-transitory* computer readable media...” to explicitly exclude categories such as signals or carrier waves/pulses. The Examiner suggests that such amendment would overcome the rejection under 35 U.S.C. §101. (Office Action, bottom page 6). Accordingly, Applicant respectfully requests that this rejection be withdrawn.

#### **Amended Independent Claims 12 and 22 are Allowable.**

Independent Claims 12 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over *D'hoore* (U.S. 6,085,160) in view of *Riis* (U.S. 2003/0050779) and further in view of *Fabiani* (U.S. 2002/0173945).

Applicant respectfully traverses. Applicant previously argued that *D'hoore*, *Riis*, and *Fabiani* fail to teach various features of Applicant's claimed invention, for various reasons including the following two reasons.

First, Applicant has explained that *Fabiani*'s technique *actually translates* a phoneme transcription using such mappings only when the speech processing device does not include a speech model for the language of the (pre-translated) phoneme transcription. In contrast, in the

claimed invention, the phoneme map (that maps phonemes of  $N$  different languages to phonemes of a mother tongue language) is used to translate phoneme sequences from **each of the  $N$  different (non-mother tongue) languages into phoneme sequences of a mother tongue language**. Thus, unlike in *Fabiani*, whether or not the mobile telephone or other relevant device includes a speech model for each of the  $N$  different (non-mother tongue) languages is not a relevant factor -- instead, *each of the  $N$  different phoneme sequences is translated* using the phoneme map.

Second, Applicant has explained that in *Fabiani*, each phoneme transcription that must be translated (because no corresponding speech model is present) is translated into the language having the ***most acoustically similar*** phoneme transcription, using *Fabiani*'s "nearest phoneme method." (paragraph 0050, lines 28-41). In contrast, in the claimed invention, all of the  $N$  different phoneme sequences are translated ***to the mother tongue language, regardless of whether the phoneme sequences of the mother tongue are the most acoustically similar to each of the phoneme sequences to be translated.***

However, in the Final Office Action, the Examiner maintains his position that *Fabiani* teaches these respective features of Applicant's claimed invention. Therefore, although Applicant disagrees with the Examiner's positions, Applicant has amended Claims 12 and 22 to explicitly incorporate the distinguishing aspects discussed in Applicant's arguments. For example, amended Claim 12 recites:

wherein each of the  $N$  first phoneme sequences of the  $N$  various language is translated into a corresponding second phoneme sequence of the mother tongue language **(a) regardless of whether the mobile device includes a speech model for each of the  $N$  various languages, and (b) regardless of whether the mother tongue language is the most acoustically similar to each of the  $N$  various languages, with respect to the respective first and second phoneme sequences,**

As explained above, *Fabiani* teaches the exact opposite of these limitations. First, *Fabiani* teaches translating a phoneme transcription only when a speech model for the language

of the (pre-translated) phoneme transcription is not available, in contrast to “**regardless of whether the mobile device includes a speech model for each of the  $N$  various languages.**” **Second**, *Fabiani* teaches translating each phoneme transcription into the language having the most acoustically similar phoneme transcription, using *Fabiani*’s “nearest phoneme method,” in contrast to “**regardless of whether the mother tongue language is the most acoustically similar to each of the  $N$  various languages.**”

*D’hoore* and *Riis* also fail to teach these added limitations. Thus, for at least the reasons set forth above, Claim 1 is clearly and explicitly distinguished from the cited references. Accordingly, Applicant requests reconsideration and allowance of amended independent Claims 12 and 22, as well as all claims that depend therefrom.

**All Dependent Claims are Allowable.**

Dependent Claims 13, 20-21, and 28-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over *D’hoore* in view of *Riis*, and further in view of *Fabiani*.

Dependent Claims 14-16 and 23 stand rejected under 35 U.S.C. §103(a) over of *D’hoore* in view of *Riis*, further in view of *Fabiani* and further in view of *Bub* (U.S. 6,460,017).

Dependent Claims 17 and 24-25 stand rejected under 35 U.S.C. §103(a) over of *D’hoore* in view of *Riis*, further in view of *Fabiani*, further in view of *Bub* and further in view of *Brill* (U.S. 7,047,493)

Dependent Claims 18-19 and 26-27 stand rejected under 35 U.S.C. §103(a) over of *D’hoore* in view of *Riis*, further in view of *Fabiani* and further in view of *Harengel* (U.S. 2004/0039570).

Applicant submits that all dependent claims are allowable at least because they depend from the independent claims shown above to be allowable. Further, none of *Bub*, *Brill*, and *Harengel* teaches the features of the independent claims not taught by *D’hoore*, *Riis*, and *Fabiani*. Further, Applicant does not concede that any of the proposed combinations of references are legally proper. Thus, for at least these reasons, Applicant respectfully requests reconsideration and allowance of all pending dependent claims.

**CONCLUSION**

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant respectfully submits a Request for Continued Examination (RCE) Transmittal and Petition for One-Month Extension of Time. The Commissioner is authorized to charge the fee of \$940 required to Deposit Account 50-4871 in order to effectuate this filing.

Applicant believes there are no other fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-4871 of King & Spalding L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.457.2030.

Respectfully submitted,  
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